

**THE FINANCIAL SERVICES TRIBUNAL**

**CASE NO.: FSP34/2020**

In the matter between:

**LEET LUCKY FAKU**

**APPLICANT**

and

**ONEPLAN INSURANCE**

**RESPONDENT**

[1] The applicant applies for the reconsideration of his debarment as financial service representative by the respondent, his employer and financial service provider.

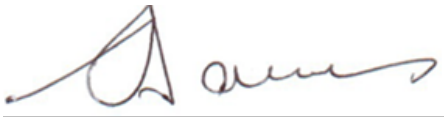
[2] The parties have waived their right to a hearing and agreed that the application may be disposed of on the papers as filed.

[3] The case against the applicant was that he had forged a document. It is not disputed that he had a medical claim against his employer under its medical scheme for R150.00 for which he had received a stamped receipt. It is requirement that any claim must be accompanied by a receipt. The problem was that the applicant had after the first consultation two further consultations for which he paid R300 each, but he had problems with obtaining a receipt for those amounts. To enable him to claim for the total expense of R750, he changed the R150.00 to R750.00.

[4] The forgery was amateurish and foolish but caused no loss to anyone. The question then is whether this act of dishonesty establishes that the applicant does not have the necessary qualities of honesty and integrity to act as financial services representative. This is a

borderline case and although there is much to be said for the view of the respondent that the applicant failed the test, I believe that the applicant should receive the benefit of the doubt and that, accordingly, the debarment must set aside and it is so ordered.

Signed on behalf of the Tribunal on 16 October 2020

A handwritten signature in dark ink, appearing to read 'LTC Harms', enclosed within a thin rectangular border.

LTC Harms (deputy chair)